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book of light and unpretentious stanzas is like a friend who not too fastidiously makes the best of the merry things of life without having in the least the air of pessimistically seeking to look on the sunny side because the dark side is so obtrusive.

In his more serious poems the same spirit is manifest. "Let those who will," he writes—

Let those who will sound notes of dull despair
And fill with lamentation all the air—
For me, let it be mine alway to send
The cheery note of Love, unto this end:
That they who on some path of darkness grope
May find their way to Light through gleams of Hope.

In such verses, the underlying sincerity, the homely phrase, the plucky spirit, strike a sure response, and it is much to say that so simple an appeal to optimism does not in any way offend us. On the contrary we are always glad to see one of Mr. Bangs's lyrics or versified witticisms smiling up from the page. We may feel that they are not profound nor always of dazzling brilliancy, but they accomplish their mission of amusement or good cheer or zestfully genuine appreciation of nature, human or material, as simply and surely as the greater works of literature make their inspirations felt.

NATIONAL SUPREMACY: TREATY POWER *vs.* STATE POWER. By EDWARD S. CORWIN. New York: Henry Holt & Company, 1913.

Logically the question discussed in this book turns, of course, upon a point of verbal interpretation. Are the powers reserved to the States by the Tenth Amendment reserved to them solely, or may the United States, in accordance with Article VI., Paragraph 2 of the Constitution, exercise concurrent and overruling power? Professor Corwin contends that obviously the powers reserved to the States are reserved always conditionally upon their not having been delegated to the United States. If, then, the States in their exercise of the "police power" come in conflict with laws made in pursuance of the Constitution or treaties made under the authority of the United States, the former must give way. The book, however, is predominantly historical and not merely logical or philosophical in its method: it is one of those painstaking and impartial surveys which the modern school of history and politics produces. In such a survey, without the appearance of contending for a thesis, cautious conclusions are slowly constructed out of the facts themselves. The conclusion at which Professor Corwin ultimately arrives is that the logical interpretation to which he gives his adhesion is, on the whole, that which has prevailed throughout the history of the United States, and that, unless a radical change is to be made in our system of government, that interpretation had better be left alone. Constitutional questions are always debated from a conservative rather than a radical point of view: in respect to them, a break with the past is justly felt to be particularly undesirable. Here, then, set forth in clear detail, is the conservative view of what conservatism with respect to the Constitution means.

Among the phases of the subject taken into consideration are the interpretation of the treaty power under the Articles of Confederation, the

view of this power taken in the Convention of 1787 and in the State Ratifying Conventions, the decisions of the Supreme Court while still dominated by the point of view of the Framers of the Constitution, and, most important of all, the record of later judicial decisions. In discussing the latter, the author strongly maintains that the early precedents have never been overruled. Judicial utterances asserting the doctrine that the reserved rights of the States set a constitutional bar to the treaty power of the United States are confined, with the exception of one or two circuit court decisions interpreting Indian treaties, to *obiter dicta*, ordinarily of a very gratuitous sort. In this connection, it is interesting to note that in Judge Story's much-quoted declaration to the effect that the treaty power "is not to be so construed as to destroy the fundamental laws of the State," the word "state" is regarded by the author as plainly used in its generic and not its particular sense. Further, the State-rights view of the treaty power, it is held, "was retained during the period of its greatest prominence by immediate concern for a great sectional interest which no longer exists."

In conclusion, Professor Corwin argues that the theoretic supremacy of the treaty power is not in reality so fraught with danger as has been frequently maintained. In the first place, he points out that the constitution of the Senate fits it to be a guardian of State rights. Further, the power of Congress to abrogate treaties constitutes an effective check. But the strongest safeguard of all, in the author's view, is that principle of self-interest which deters any nation from surrendering by treaty with another that degree of control over its internal concerns which other nations habitually retain. To reinforce this view, the author instances that settled maxim of international law which provides that when treaty provisions are ambiguous nothing passes by implication to the diminution of the sovereignty of the granting power. These arguments, especially the last, seem to be admissions that the historical argument is not conclusive. But so far as this argument itself is concerned, Professor Corwin's treatise presents a mass of logically cemented facts not easily to be overthrown.

LOVE AND LIBERATION. By JOHN HALL WHEELOCK. Boston: Sherman, French & Company, 1913.

To the poet in a certain state of lyric rapture, it seems to be a matter of no great importance what he calls the essential thing of which he writes, or how, if at all, he defines it. "Beauty" and "Love" are the terms most commonly used, and they are the words which appear most frequently in Mr. Wheelock's fervent songs. Perhaps if we called the thing "Life," we would come as near as possible to naming it correctly. If you are a pantheist, you may call it God, or if you are very much in love you may symbolize it as the beloved. But in any case, the mood is much the same—it is the mood of feeling spiritually alive and in harmony with a living universe; of seeing existence as a flashing stream trembling with life.

Purely of this nature seems to be Mr. Wheelock's inspiration, as revealed in the present volume of verses. The exaltation of Love and of Liberation, in the loftiest and vaguest senses which these conceptions are capable of bearing, is the dominant motive. The following verses, though not of the author's best, are significant of his general tenor: